IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

ROSCOE BENNY SHARPE, JR.,

Plaintiff,

v. : Civil Action No. 5:09-CV-255 (HL)

Unit Manager EUTSEY, GEORGIA DIAGNOSTIC AND CLASSIFICATION PRISON, Warden HALL, and ADMINISTRATIVE STAFF,

:

Defendants.

ORDER

The Recommendation of United States Magistrate Judge Claude W. Hicks, Jr., entered September 14, 2009 (Doc. 7), in the above-captioned case is before the Court. In that pleading, the Magistrate Judge recommends that the Georgia Diagnostic and Classification Prison, the Administrative Staff, and Warden Hall be dismissed from this action, and that the claim against Unit Manager Eutsey go forward. No objections have been filed to the Recommendation, as permitted by 28 U.S.C. § 636(b)(1). The Court has reviewed the Recommendation and finds no clear error in the Magistrate Judge's decision. Accordingly, the Court accepts the Recommendation. Georgia Diagnostic and Classification Prison, Warden Hall, and the Administrative Staff are dismissed as parties to this case, and the claim against Unit Manager Eutsey shall proceed.

SO ORDERED, this the 5th day of October, 2009.

<u>s/ Hugh Lawson</u> HUGH LAWSON, SENIOR JUDGE

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